

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

EMERY STEVE BROWN)

PLAINTIFF)

VS.)

CASE NO. 3:05-CV-0681-
MHT-CSC

CLAIMS MANAGEMENT, INC.)

DEFENDANT)

MOTION FOR EXTENSION OF TIME

Comes now Plaintiff in the above case and requests the Court amend its previous Order with respect to the time in which the Plaintiff responds to Defendant's Motion for Summary Judgment by extending the time that the Plaintiff's Reply Brief to the Summary Judgment Brief is due from September 13, 2006, to September 21, 2006. Plaintiff further requests that Defendant's response time be extended accordingly based on the extension, if granted.

As grounds therefore Plaintiff would respectfully state as follows:

1. Plaintiff is scheduled to be in trial before Honorable Lynwood Smith in the U. S. District Court for the Northern District of Alabama commencing September 5, 2006. This case will in all probability take a minimum of three days to try.

2. Plaintiff's counsel is scheduled to be out of town from September 8 through September 17 on vacation with his children and grandchildren to Disney World.

As a result of the trial and previously scheduled vacation of Plaintiff's counsel, Plaintiff's counsel will not have sufficient time within which to prepare a response due to the preparation necessary for the case to be tried before Judge Smith next week.

Plaintiff would further state that Defendant's counsel has no objection to this extension and Plaintiff's counsel would further state that no party will be prejudiced by the extension requested.

Respectfully requested this 30th day of August, 2006.

/s/ John A. Tinney
John A. Tinney TIN005
Attorney for Plaintiff
Post Office Box 1430
739 Main Street
Roanoke, Alabama 36274
(334) 863-8945

CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Jeffery A. Brown
Post Office Box 139
Columbus, Georgia 31902-0139

I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: (NONE)

Respectfully submitted,

s/ John A. Tinney
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